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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,137	01/18/2001	Lloyd Adams	P/2167-260	7821

21967 7590 05/04/2006

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EXAMINER

KAZIMI, HANI M

ART UNIT PAPER NUMBER

3624

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,137

Applicant(s)

ADAMS ET AL.

Examiner

Hani Kazimi

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/4/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the amendment filed on October 4, 2005, claims 1-3 are pending. The rejections cited are as stated below:

Response to Applicant's amendment

2. Applicants' amendment filed on October 4, 2005 have been fully considered, and discussed in the next section below or within the following rejections are not deemed to be persuasive. Applicants' request for allowance is respectfully denied.

Claim Rejections - 35 USC ' 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent May not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 148 USPQ 459, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or unobviousness.

5. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calyx Software, "Point for Windows Version 3.x Interface Marketing Guide", December 8, 1999, pages 1-5, (hereinafter, "Calyx 1") and Calyx Software, "Point for Windows Version 3.x Interface Development Guide", November 29, 1999, pages 1-21, (hereinafter, "Calyx 2").

Claims 1-16, Calyx 1 and 2 disclose a system and a corresponding method for producing and sending a loan document to a customer (Calyx 1, page 4), comprising, a web-enabled customer interface which receives loan information from the customer, a network coupled to the customer interface, the network receives the loan information from the customer interface, a web site coupled to the network, the web site receives the loan information and merges the loan information with a loan application form to produce a loan application, a loan processor, coupled to the web site, the loan processor receives the loan application before the loan document is generated, performs a credit check on the customer based on the loan application, and determines whether the customer should receive a loan based on the credit check, and a document server coupled to the loan processor, the document server generates and sends the loan document to the customer, based on the loan application, when the loan processor determines that the customer should receive the loan, the loan processor sends the loan document to the customer through one of e-mail, facsimile, the network, a first

printer coupled to the network, and a second printer coupled to another network (Calyx 1, pages 2- 4 and Calyx 2, pages 2-13).

Calyx 1, teaches the use of a credit approval agency that is coupled to the loan processor, wherein the loan processor performs the credit check by sending the loan application to the credit approval agency (fig. 1, elements 116 and 117). Calyx teaches that the network is the Internet, and the customer interface is one of a computer, a personal digital assistant, and a loan application kiosk (Calyx 1, fig.1 and pages 2-4).

Calyx 1 and 2, fail to teach that cashing a check indicates acceptance by the customer of the terms listed in the loan document, checking the validity of the check, and the loan document includes insurance information relating to the loan.

Official Notice is taken that cashing a check as an indication of accepting a contract, checking the validity of a check, and having insurance information relating to a loan in a loan document is old and well known in the art.

It would been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Calyx to include that cashing a check indicates acceptance by the customer of the terms listed in the loan document, checking the validity of the check, and the loan document includes insurance information relating to the loan because, it greatly improves the efficiency of the system by providing an easier and faster way of processing loan contracts, and a system that is user friendly.

Response to Arguments

Art Unit: 3624

6. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-2 17-9197 (toll-free).


HANI M. KAZIMI
PRIMARY EXAMINER
Art Unit 3624

December 12, 2005